

Message Text

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ACTION ARA-14

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R 052030Z JUN 78
FM AMEMBASSY TEGUCIGALPA
TO SECSTATE WASHDC 554
INFO AMEMBASSY GUATEMALA
AMEMBASSY MANAGUA
AMEMBASSY SAN JOSE
AMEMBASSY SAN SALVADOR

C O N F I D E N T I A L TEGUCIGALPA 2641

EO 11652 GDS
TAGS: PINT, SHUM, HO
SUBJECT: OLANCHO VERDICT TAKEN TO SUPREME COURT

REF: (A) TEGUCIGALPA 2517, (B) 77 TEGUCIGALPA 5496

1. THE PROCURATOR GENERAL, ON BEHALF OF THE GOH, PRESENTED A REQUEST FOR CASATION TO THE SUPREME COURT ON MAY 25, AGAIN ASKING THAT ALL ACCUSED IN THE CASE BE FOUND RILTY. THE DEFENSE ATTORNEY FILED A SIMILAR MOTION MAY 30, BUT REQUESTING HIS TWO CLIENTS, MAJ. CHINCHILLA AND LT PLATA, BE ACQUITTED.
2. THE DEMONSTRATIONS ANNOUNCED FOR JUNE 1 TOOK PLACE AS ANTICIPATED, BUT CONCENTRATED ON EDUCATIONAL COMPLAINTS RATHER THAN OLANCHO, AS ORIGINALLY BILLED. ORGANIZED BY SECONDARY SCHOOL STUDENTS, THE DEMONSTRATION ATTRACTED, ACCORDING TO PRESS ACCOUNTS, AROUND 1000 PERSONS AND WAS PEACEFUL.
3. LA PRENSA JUNE 1 AND 2 PUBLISHED ANOTHER "INTERVIEW" WITH MAJOR CHINCHILLA FROM JAIL, SIMILAR, BUT LESS EXTENSIVE THAN THAT DESCRIBED IN REF (B). THE INTERVIEW AGAIN APPEARED PREPARED IN
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ADVANCE FOR PUBLICATION, PROBABLY BY HIS LAWYER RATHER THAN SPONTANEOUS. CHINCHILLA REPEATED HIS CLAIM OF INNOCENCE AND INSISTED HE HAD ACTED "UNDER ORDERS."

4. COMMENT: WHILE THE END RESULT OF THE CASATION PROCESS IS SIMILAR TO AN APPEAL, IN THAT THE LOWER COURT VERDICT CAN BE CONFIRMED OR CHANGED, THE LEGAL BASIS IS DIFFERENT. THE PROCESS

IS EXPECTED TO TAKE ABOUT THREE MONTHS BEFORE A FINAL VERDICT IS REACHED. WHETHER THE MANY GROUPS AND ORGANIZATIONS INTERESTED IN THIS CASE AGREE WITH THE RESULTS OR NOT, IT IS TRUE THAT THE GOH WILL HAVE PURSUED THIS CASE THROUGH THE EXHAUSTION OF ALL LEGAL PROCESSES AVAILABLE TO IT.

JARAMILLO

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Message Attributes

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